

PATENT Docket No. 346392001500

DECLARATION FOR UTILITY PATENT APPLICATION

AS BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:

Our residences, post office addresses, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMPOSITIONS AND METHODS FOR THE PREVENTION AND TREATMENT OF TISSUE ISCHEMIA, the specification of which is attached hereto unless the following box is checked:

was filed on December 14, 2001 as United States Application Serial No. 10/017.717.

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority (Claimed?
			□Yes	□No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/256,269	December 15, 2000
60/296,581	June 6, 2001
60/296,580	June 6, 2001
60/343,575	October 19, 2001

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of

35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status	У	
		□Patented	□Pending	□Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

issued thereon.		
2/13/02		5-
Date /	Name:	Guy Michael MILLER
•	Residence:	130 E. San Fernando Street, PH-12, San Jose, California 95112
	Citizenship:	United States of America
	Post Office Address:	130 E. San Fernando Street, PH-12, San Jose, California 95112
8-15-02		LoBan
Date	Name:	Lesley A. BROWN
	Residence:	760 N. 7th Street, #2204, San Jose, California 95112
	Citizenship:	United Kingdom
	Post Office Address:	760 N. 7th Street, #2204, San Jose, California 95112
2-15-02		llithethe falls
Date	Name:	Ughera DEL BALZO
	Residence:	15720 La Tierra Drive, Morgan Hill, California 95037
	Citizenship:	Italy
	Post Office Address:	15720 La Tierra Drive, Morgan Hill, California 95037
2-16-02		Stathing
Date	Name:	Stephen FLAIM
	Residence:	4455 Foxhollow Court, San Diego, California 92130
	Citizenship:	United States of America
	Post Office Address:	4455 Foxhollow Court, San Diego, California 92130
2/1402		Asselly.
Date	Name:	Sekhar BODDUPALLI
	Residence:	6237 Cahalan Avenue, San Jose, California 95123
	Citizenship:	India
	Post Office Address:	6237 Cahalan Avenue, San Jose, California 95123
2/15/02	Sin	ellme
Date	Name:	Bing WANG
	Residence:	10042 Byrne Avenue, Cupertino, California 95014
•	Citizenship:	United States of America
	Post Office Address:	10042 Purne Avenue Cunertino California 05014



PTO/SB/96 (08-00)
Approved for us through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
duction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Guy M. MILLER e Application No./Patent No.: 10/017,717 Entitled: COMPOSITIONS AND METHODS I ISCHEMIA	t al. FOR THE P	Filed/Issue Date: December 14, 2001 REVENTION AND TREATMENT OF TISSUE
Galileo Laboratories, Inc.,	_a	corporation
(Name of Assignee)	(Type of	Assignee, e.g., corporation, partnership, university, government agency, etc.)
states that it is:		
1. Me the assignee of the entire right, title, and	interest; or	
 an assignee of less than the entire right, The extent (by, percentage) of its owners 	title and inte ship interest	erest. is%
in the patent application/patent identified above	by virtue of	either:
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B. []A chain of title from the inventor(s), of the as shown below:	patent appl	ication/patent identified above, to the current assignee
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		Signature
		CEO
		Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: 346392001500

Atterney Docket No.: 346392001500

ASSIGNMENT JOINT



THIS ASSIGNMENT, by Guy Michael MILLER; Lesley A. BROWN; Ughetta DEL BALZO; Stephen FLAIM; Sekhar BODDUPALLI and Bing WANG (hereinafter referred to as the assignors), residing at 130 E. San Fernando Street, PH-12, San Jose, California 95112; 760 N. 7th Street, #2204, San Jose, California 95112; 15720 La Tierra Drive, Morgan Hill, California 95037; 4455 Foxhollow Court, San Diego, California 92130; 6237 Cahalan Avenue, San Jose, California 95123 and 10042 Byrne Avenue, Cupertino, California 95014, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in COMPOSITIONS AND METHODS FOR THE PREVENTION AND TREATMENT OF TISSUE ISCHEMIA, set forth in an application for Letters Patent of the United States, having an oath or declaration executed on even date herewith; bearing Serial No. 10/017,717 and filed on December 14, 2001; and

WHEREAS, Galileo Laboratories, Inc., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 5301 Patrick Henry Drive, Santa Clara, California 95054 is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

Attarney Docket No.: 346392001500

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns. Date 2/15/02 (Signature) Name: Guy Michael MILLER STATE OF)) ss. COUNTY OF) _____, 2002, personally appeared Guy BEFORE ME, the undersigned authority, on this ___ day of ___ Michael MILLER known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed. please see attached certificate **Notary Public** My Commission Expires: [seal] Date _____2-15-03 (Signature) Name: Lesley A. BROWN STATE OF) ss. COUNTY OF BEFORE ME, the undersigned authority, on this __ day of ______, 2002, personally appeared Lesley A. BROWN known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed. please See attached certificate [seal] My Commission Expires: Date 2-15-02 a DEL BALZO

STATE OF

) ss.

COUNTY OF

BEFORE ME, the undersigned authority, on this __ day of _______, 2002, personally appeared Ughetta

DEL BALZO known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Wotary Public

[seal]

Aresney Docket No.: 346392001500

1+ +10:
(Signature) Date 2-15-02 Name: Stephen FLAIM
STATE OF)
) ss. COUNTY OF)
BEFORE ME, the undersigned authority, on this day of, 2002, personally appeared Stepher FLAIM known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed. Notary Public Notary Public
STATE OF) .) ss. COUNTY OF)
BEFORE ME, the undersigned authority, on this day of, 2002, personally appeared Sekhar BODDUPALLI known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed. PLANE DU WHOCHE CUTT COLFE
[seal] Notary Public My Commission Expires: Date 2//5(0 >
STATE OF)) ss. COUNTY OF)
BEFORE ME, the undersigned authority, on this day of, 2002, personally appeared Bing WANG known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.
[seal] Please De Notary Public My Commission Expires: Attached Certificate



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Ŋ.	County of MITACIANA	J
	a February 15, 2002	Name and Title of Officer (e.g., "Jane Doe, Notary Public") Name(s) of Signer(s)
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2002	8)	C1/
SOUZ &	personally appeared	Name(s) of Signer(s)
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-8	TAMMY L. LARSON	evidence
	Commission # 1294593 Z	evidence
Š	Notary Public - California S Santa Clara County	to be the person(e) whose name(s) is/are
S	My Comm. Expires Feb 19, 2005	subscribed to the within instrument and
Ŕ	My COMMITTED COMMITTED	acknowledged to me that he/she/they executed
8		the same in his/her/their authorized
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iQ		signature(s) on the instrument the person(e), or
S		the entity upon behalf of which the person(s)
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FORNIA ALL-PURPOSE ACKNOWLEDGMENT

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State of California	l
County of Santa Clara	} ss.
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Dersonally appeared	Name(s) of Signer(s)
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TAMMY L. LARSON	
Commission # 1294593	to be the person (s) whose name (s) is/
Notary Public - California	subscribed to the within instrument a
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	signature(s) on the instrument the person(s)
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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TRADEM!

State of California	·)
county of Santaclara	S SS.
on February 15, 20, before me, _	Tammy C. Larson, Notary Public Name and Title of Officer (e.g., "Jane Doe, Notary Public") 1 Bal26 Name(s) of Signer(s)
Date / Lahette de	Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared volve voc	Name(s) of Signer(s)
	☐ personally known to me ☐ proved to me on the basis of satisfactory evidence
TAMMY L. LARSON Commission # 1294593 Notary Public - California Santa Clara County My Comm. Expires Feb 19, 2005	to be the person(s) whose name(s) is/are-subscribed to the within instrument and acknowledged to me that he/she/they-executed the same in his/her/their-authorized capacity(ies), and that by his/her/their-signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
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☐ Partner — ☐ Limited ☐ General	
☐ Attorney in Fact ☐ Trustee	
☐ Guardian or Conservator	
Other:	
Signer Is Representing:	



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OFFICE WALLY 15,000, before me,	Name and Title of Officer (e.g., "Jane Doe, Notary Public") Warner Flaim Name(s) of Signer(s)
Date Stopen I	CARIO (V. T. L.)
Empersonally appeared JCPIRCITTI	Name(s) of Signer(s)
	□ nomenally known to me
	□ personally known to me □ proved to me on the basis of satisfactor
	evidence
-	·
TAMMY L. LARSON	to be the person(s) whose name(s) ish
Commission # 1294593 Notary Public - California	subscribed to the within instrument a
Santa Clara County	acknowledged to me that he/she/they execu-
My Comm. Expires Feb 19, 2005	the same in his/her/thoir authoriz
	capacity (ies) , and that by his /her/th
	signature(e) on the instrument the person(s)
	the entity upon behalf of which the person
	acted, executed the instrument.
	WITHEOU I I I II II I
	WITNESS my hand and official seal.
•	Jammun Lanson
Place Notary Seal Above	Signature of Notary Public
	NRTION 4
_	OPTIONAL ————————————————————————————————————
	law, it may prove valuable to persons relying on the document and reattachment of this form to another document.
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Document Date:	Number of Pages:
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<u> </u>	Santa Clara	SS.
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	personally appeared	Name(s) of Sinner(s)
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Ŕ		evidence
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2	TAMMY L. LARSON Commission # 1294593	subscribed to the within instrument and
Ŕ	Notary Public - California	acknowledged to me that he/she/they executed
Š	Santa Clara County	the same in his/ her/their authorized
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X Q	Place Notary Seal Above	Signature of Notary Public
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<u> </u>	and could prevent fraudulent removal a	and reattachment of this form to another document.
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TAMMY L. LARSON Commission # 1294593 Notary Public - California \$\frac{\	my L. Larson, Notary Public') Name (s) of Signer(s) Personally known to me roved to me on the basis of satisfactor ence The person (s) whose name (s) is/a scribed to the within instrument and anowledged to me that he/sho/they executed same in his/her/their authorized acity (ies), and that by his/her/their atture (s) on the instrument the person (s), the entity upon behalf of which the person (d), executed the instrument. NESS my hand and official seal.
TAMMY L. LARSON Commission # 1294593 Notary Public - California Santa Clara County My Comm. Expires Feb 19, 2005 Though the information below is not required by law, it may and could prevent fraudulent removal and reatt Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer Signer's Name: Individual Corporate Officer — Title(s):	ersonally known to me roved to me on the basis of satisfactor ence be the person(s) whose name(s) is/a scribed to the within instrument are nowledged to me that he/she/they execute same in his/her/their authorized acity(ies), and that by his/her/their authorized acity(ies) on the instrument the person(s), entity upon behalf of which the person(d, executed the instrument. NESS my hand and official seal.
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